IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5748 OF 2005

Mr.N.S.Ramalingam .. Petitioner

Vs.

Nav-Nanda Co-op.Housing Soc.Ltd. ..Respondents

Mr.V.C.Deshpande for the petitioner

Mr.A.H.Palekar,A.G.P. for the state

CORAM : S.U.KAMDAR, J
DATED : 2ND DECEMBER, 2005

P.C.:

. The present petition challenges the order passed by the lower authorities by which the maintenance charges and the outgoings of the Society as issued by the Co-op.Housing Society have been upheld. The only contention raised by the petitioner that he is not the holder of the two flats but only one flat. However, it is conceded by the learned counsel for the petitioner that he is holding two share certificates on the basis of two agreements of two flats. Even the finding of the authority below is on the record. Builder has sold two flats to the petitioner. Petitioner has

already issued maintenance receipt on the basis of flat 38 and 39. Large amount of material evidence has been considered by the authorities including two electricity meters for the two flats. In that view of the matter, I am not inclined to interfere with the matter of finding of fact of the court below that there are two flats and not one flat. Thus, there is no substance in the present petition. Petition is dismissed accordingly. No order as to costs.